

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:	:	Bankruptcy No. 16-70007-JAD
Gary J. McCurdy,	:	
	:	Chapter No. 13
Debtor	:	
	:	
Paul W. McElrath, Esquire /	:	Related to Docket No. 119
McElrath Legal Holdings, LLC,	:	
Applicant	:	
vs.	:	Hearing Date and Time:
	:	April 14, 2021 at 10:00 AM
Ronda J. Winnecour, Esquire,	:	
Chapter 13 Trustee,	:	
Respondent	:	

**ORDER**


This matter is before the Court upon the *Application for Compensation* [Docket No. 119] (the "Application") filed by Paul W. McElrath, Esquire of McElrath Legal Holdings, LLC. Upon review of the *Application* and finding that no timely responses or objections were filed, it is hereby **ORDERED, ADJUDGED, and DECREED** that:

1. The *Application* is granted in the amount of \$7,052.00 for fees and expenses incurred during the period of January 5, 2016 through March 16, 2021 (inclusive of projected time to close the case), consisting of fees in the amount of \$6,552.00, and expenses in the amount of \$500.00.
2. The Debtors previously paid counsel an expense retainer of \$500 from which out-of-pocket expenses could be paid during the case. The residual balance of the expense retainer is \$0.00.
3. Previously, counsel was paid the "no look" fee of \$3,800 for services rendered in the case. A portion of the "no look" fee was paid by the Debtor as a prepetition retainer in the amount of \$300, while the remaining balance of \$3,500 is to be paid by the chapter 13 trustee through the Debtors' confirmed plan. A prior application for compensation was granted in the amount of \$950.00.

4. Additional legal fees in excess of the “no look” fee and prior application for compensation remain due and owing to McElrath Legal Holdings, LLC in the amount of \$1,782.00. The remaining balance shall be paid as follows:
- a. Fees in the amount of \$750 shall be paid by the chapter 13 trustee to the extent such fees are provided for in the Debtors’ confirmed chapter 13 plan;
  - b. Fees in the amount of \$1,032.00 are voluntarily waived and/or deferred by the Applicant pursuant to the statements made in the *Application*.
5. The additional fees authorized by this *Order* may be paid through the Debtors’ chapter 13 plan provided that the Debtors amend their plan within 14 days of the date of this *Order* to increase the plan payment by an amount sufficient to provide for the increased fees. The fees shall be paid from the Debtors’ resources without decreasing the percentage or amount to be paid to other creditors through the plan.

FILED  
4/7/21 10:19 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

Dated : April 7, 2021

BY THE COURT:  
  
jsf  
Jeffery A. Deller,  
United States Bankruptcy Judge

In re:  
Gary J. McCurdy  
Debtor

Case No. 16-70007-JAD  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-7  
Date Rcvd: Apr 07, 2021

User: mgut  
Form ID: pdf900

Page 1 of 1  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 09, 2021:

Recip ID	Recipient Name and Address
db	+ Gary J. McCurdy, 115 Mission Meade Dr., New Castle, PA 16105-1603

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 09, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 7, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor FLAGSTAR BANK FSB bnicholas@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Paul W. McElrath, Jr.	on behalf of Debtor Gary J. McCurdy ecf@mcelrathlaw.com donotemail.ecfbackuponly@gmail.com
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 4